

SAN LUIS OBISPO PLANNING DEPARTMENT HEARINGS
MINUTES OF THE MEETING OF

October 5, 2012

Minutes of the Regular Meeting of the County Planning Department Hearings held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by Matt Janssen, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of October 5, 2012, together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

PUBLIC COMMENT PERIOD

No one coming forward.

CONSENT AGENDA:

1. Planning Department Hearing Minutes - September 7, 2012 Minutes reviewed on September 27, 2012 by Matt Janssen, Hearing Officer.
Recommendation: Receive and File

POST MEETING RESULTS: RECEIVED AND FILED

September 7, 2012 PDH Minutes

Received and Filed

Thereafter, on motion of the hearing officer, the Planning Department Hearing Minutes of September 7, 2012 are Received and Filed as recommended and available on file at the office of the County Planning and Building Department.

2. Planning Department Hearing Minutes - September 21, 2012 Minutes reviewed on September 24, 2012 by Dana Lilley, Hearing Officer
Recommendation: Receive and File

POST MEETING RESULTS: RECEIVED AND FILED

September 21, 2012 PDH Minutes

Received and Filed

Thereafter, on motion of the hearing officer, the Planning Department Hearing Minutes of September 21, 2012 are Received and Filed as recommended and available on file at the office of the County Planning and Building Department.

3. Hearing to consider a request by GEORGE SULLIVAN to construct a windmill and water tower as principal structures in the Commercial Retail land use category. Included is a request to waive curb, gutter and sidewalk requirements for the project. The site is located at on the northeast corner of El Camino Real and Murphy Ave., in the community of Santa Margarita. This project is exempt from the California Environmental Quality Act (CEQA) under Section 15303 of the CEQA Guidelines. County File Number: DRC2012-00016 Assessor Parcel Number: 069-032-012 Supervisorial District: 5 Date received: May 31, 2012 John Busselle, Project Manager Recommendation: Approve

POST MEETING RESULTS: APPROVED

Staff Report

Correspondence Received

Changes to Conditions of Approval

Thereafter, on motion of the hearing officer, the request by GEORGE SULLIVAN for a Minor Use Permit (DRC2012-00016) is granted based on the Findings A. through E. in Exhibit A and subject to the Conditions 1 through 16 in Exhibit B (Document Number: 2012-056_PDH).

HEARING ITEMS:

4. Hearing to consider a request by ANDREW GRAHAM for a Minor Use Permit / Coastal Development Permit to allow an existing single family residence to be used as a residential vacation rental. The proposed project is within the Residential Multi-Family land use category and is located at 194 San Luis Street Parkway, between Laurel Street and Lucas Lane, in the community of Avila Beach. The site is in the San Luis Bay Coastal planning area. This project is exempt under CEQA. County File Number: DRC2012-00012 Assessor Parcel Number: 076-216-026 Supervisorial District: 3 Date Accepted: August 30, 2012 Cody Scheel, Project Manager Recommendation: Approve

POST MEETING RESULTS: APPROVED

Staff ReportRequest For Hearing LetterCorrespondence ReceivedCorrespondence Received 2Correspondence Taken In At MeetingSpeaker Slips

Cody Scheel, Project Manager: presents project, discusses some concerns raised regarding parking and some resolutions for this issue.

Andrew Graham, Applicant: presents case and states objective of project, shows pictures of garage, hands out letter from real estate agent.

Matt Janssen, Hearing Officer: questions applicant if this is his primary residence, about the size of his vehicles, and intended use of garage, with Mr. Graham responding.

Edwin Rambuski, Attorney for Mr. & Mrs. Tidwell: states concerns regarding project, gives reasons why.

Penni Tidwell, Neighbor: states concerns regarding parking for project, has picture exhibit and video. Video is not shown. Has copy of applicants letter from the permit request addressing parking, copy is given to Hearing Officer.

Carla Frisk, President of the Avila Cove HOA: presents concerns regarding project, has letter for staff.

Stephanie Rowe, Neighbor: states concerns regarding project.

Chris Deweese, Neighbor: states concerns regarding project.

Mary Matakovich, Neighbor: states concerns regarding project.

Tony Spinelli, Business owner in Avila and Pismo Beach: states concerns regarding project.

Andrew Graham, Applicant: addresses concerns raised.

Matt Janssen, Hearing Officer: asks staff for follow up comments, with Cody Scheel responding.

Thereafter, on motion of the hearing officer, the request by ANDREW GRAHAM for a Minor Use Permit/Coastal Development Permit

(DRC2012-00012) is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 12 in Exhibit B with the following changes: Condition 3 shall have an additional sentence added at the end which will read: "A lease to the tenants of the Vacation Rental shall contain these parking requirements." Condition 4 shall be deleted, with the remaining Conditions to be renumbered accordingly. Newly renumbered Condition 4 shall be amended to read: " The maximum number of occupants allowed in the residential vacation rental shall not exceed the number of occupants that can be accommodated consistent with the onsite parking requirement and shall not exceed two persons per bedroom. ~~plus two additional persons.~~ A lease to the tenants of the Vacation Rental shall contain these occupancy requirements."

ADJOURNMENT: 10:28 a.m.

**DONNA HERNANDEZ, SECRETARY PRO TEM
PLANNING DEPARTMENT HEARINGS**

MINUTES WERE RECEIVED AND FILED AT THE NOVEMBER 2, 2012 PLANNING DEPARTMENT HEARING MEETING BY DANA LILLEY, HEARING OFFICER.